

# Town of East Montpelier

# ZONING PERMIT

## NOTICE

[To Be Displayed on the Property in Full View of the Public Right-of-Way]

Date Issued:

May 19, 2022

Effective Date:

June 3, 2022

Location:

930 Gallison Hill Road

Owner:

WCUUS

For:

Two 27' x 6' Dugouts and Three  
4' x 9' Freestanding; 4' x 9' Wall-affixed

Scoreboards:

4' x 8' Freestanding

Application #

22-012

Approved by:

C. Bruce Johnson, ZA

Do not start project or commence use prior to the Effective Date. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any state or local appeal process. This application is available for inspection at the Town Office. This poster must be displayed on the property in full public view for 15 days.

**APPEALS TO DRB:** A notice of appeal, including the \$150 fee, must be filed with the East Montpelier Town Clerk or Zoning Administrator at the Town Office by the listed Effective Date.

**WARNING:** State permits may be required for this project. Contact the state Permit Specialist, at (802) 477-2241 or [jeff.mcmahon@vermont.gov](mailto:jeff.mcmahon@vermont.gov), before beginning any construction.

# TOWN of EAST MONTPELIER

P.O. Box 157  
East Montpelier, VT  
05651-0157

C. Bruce Johnson, ZA  
zoning@eastmontpeliervt.org  
(802) 223-3313 ext. 205

May 19, 2022

Washington Central Unified Union School District  
Attn: Melissa Tuller  
1130 Gallison Hill Road  
Montpelier, VT 05602

Re: East Montpelier Zoning Application #22-012

Dear Ms. Tuller:

Please find enclosed the written decision of the East Montpelier Development Review Board approving the WCUUSD zoning application #22-012 as presented.

The school district has the right to appeal the decision of the Development Review Board. 10 V.S.A. §8504, 24 V.S.A. §4471 and V.R.E.C.P. 5 provide guidance on appeals to the Environmental Division of the Vermont Superior Court, but should you wish to appeal you should seek the advice of an attorney to determine your rights and duties in this particular situation. Generally any appeal must be filed with the Environmental Division within 30 days of the issuance of the decision.

Based on the above-referenced DRB approval I have issued East Montpelier Zoning Permit #22-012 for the construction of the two 27' x 6' dugouts plus the three scoreboards on the U-32 school grounds located at 930 Gallison Hill Road. The town requires a Certificate of Compliance for most new non-residential structures. Issuance of the certificate is required prior to use of the new dugouts and scoreboards.

Feel free to contact me if you have any questions concerning this matter.

Sincerely,



C. Bruce Johnson  
East Montpelier Zoning Administrator

**TOWN OF EAST MONTPELIER  
DEVELOPMENT REVIEW BOARD**

**FINDINGS & DECISION**

In the matter of:      Washington Central Unified Union School District  
                                 U-32 Middle & High School  
                                 930 Gallison Hill Road  
                                 Parcel # 05-036.000   Tax Map # 11-00-66.000

East Montpelier Zoning Application #22-012

**INTRODUCTION & PROCEDURAL HISTORY**

1. On April 5, 2022, the Washington Central Unified Union School District filed an application with the Town of East Montpelier for construction of two 27' x 6' softball field dugouts and installation of three scoreboards on the U-32 Middle & High School property located at 930 Gallison Hill Road.
2. The property in question lies in the Residential & Commercial District – Zone C where schools require conditional use approval from the Development Review Board. The property is subject to limited regulatory oversight as an East Montpelier Land Use & Development Regulations Section 4.13 protected public use.
3. A public notice was duly published in the Times Argus on April 16, 2022, for a hearing, which was conducted on May 3, 2022.
4. Applicant representatives Chris O'Brien, Jim Duprey & John Hemmelgarn and Zoning Administrator Bruce Johnson appeared and participated in the May 3, 2022 hearing. There was no additional public comment.
5. The Board members who voted on this issue at the May 3, 2022 hearing were Kappel, Cueto, Oates, Hill, Weyant, Cutler, and Justis.

**FINDINGS OF FACT**

1. Applicant operates a school on a 166-acre parcel located at 930 Gallison Hill Road. The proposal calls for the replacement of two dugouts at the softball field. At a size of 27' x 6' the new dugouts will be substantially larger than the existing ones. Three scoreboards with LED lighting will also be installed: a 4' x 9' freestanding scoreboard at the softball field; a 4' x 8' freestanding scoreboard at the field hockey field; and, a 4' x 9' scoreboard affixed to the main school building for the benefit of the baseball field.
2. The property is located in Zone C – the Residential & Commercial District. The property is bounded by the Winooski River to the south/southeast and a portion of that end of the parcel is within the Special Flood Hazard Area and the River Corridor. This part of the property is well away from the developed portion of the lot and the site of the new proposed development.

3. Zone C requires a 50-foot setback from the centerline of the road the parcel abuts. Zone C also requires a 25-foot setback from side and rear property lines. The dugouts and scoreboards are all located well away from the borders of the property.

## CONCLUSIONS

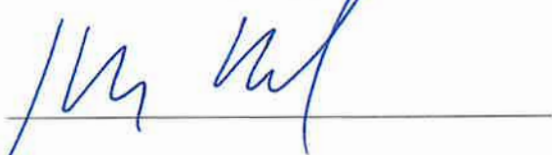
The standards for the issuance of a conditional use permit are set forth in Section 5.5 of the East Montpelier Land Use & Development Regulations. It is found that the five general standards in Section 5.5 (C) have been reviewed, and the proposed use will not adversely affect any of them. It is further found that the specific standards in Section 5.5 (E) have been reviewed and the proposed use will not adversely affect any of them. As part of conditional use review Section 5.4 (C) site plan standards have been evaluated and incorporated into this decision.

## DECISION

By unanimous vote, the DRB approves as presented Conditional Use Permit #22-012 to allow the construction of two 27' x 6' softball field dugouts, a 4' x 9' freestanding softball field scoreboard, a 4' x 8' freestanding field hockey field scoreboard, and a 4' x 9' baseball field scoreboard affixed to the main building at the U-32 campus, 930 Gallison Hill Road. All prior conditions remain in force.

**Warning:** State permits may be required for this project. The applicant or permittee retains the obligation to identify, apply for, and obtain relevant state permits for this project. Call (802) 477-2241 to speak to the state Permit Specialist before beginning any construction.

Dated this 19<sup>th</sup> day of May, 2022.



Steve Kappel – Chair  
East Montpelier Development Review Board

**Notice:** The applicant, appellant or other interested person who has participated in a regulatory proceeding of the DRB may appeal the decision rendered by the DRB within 30 days of the issuance of such decision, to the Environmental Division of the Vermont Superior Court, in accordance with 24 V.S.A. §4471.

1. "Participation" in a DRB proceeding shall consist of offering, through oral or written testimony, evidence of a statement of concern related to the subject of the proceeding.
2. The notice of appeal shall be filed by certified mailing, with fees, to the Environmental Division of the Vermont Superior Court and by mailing a copy to the East Montpelier Zoning Administrator, who shall supply a list of interested persons (including the applicant if not the appellant), to the appellant within five (5) working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person. If any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.

Permit # 22-012

## ZONING PERMIT APPLICATION

Date Received: 4/5/22Zoning District C

## TOWN OF EAST MONTPELIER

Parcel # 05-036.000Overlays WR, RC, SEHA PO Box 157, East Montpelier, VT 05651Tax Map # 11-00-66.000

\*\*\*\*\*

- A. 1. Name of Landowner Washington Central Unified Union School District Phone No. 229-0553  
 2. Address of Landowner 1130 Gallison Hill Road  
 3. Applicant (other than owner) Black River Design, Architects Phone No. 223-2044  
 4. Address of Applicant 73 Main St., Montpelier, Vt.  
 5. Location of Property 930 Gallison Hill Road (U-32 HS/MS)

## B: Application is made (check appropriate boxes):

- |   |   |  |
|---|---|--|
| To:   | For:  | For:   |
| <input checked="" type="checkbox"/> Construct | <input type="checkbox"/> One <input type="checkbox"/> Two-family dwelling | <input type="checkbox"/> Subdivision of land           |
| <input type="checkbox"/> Repair               | <input type="checkbox"/> Multi-family dwelling                            | <input type="checkbox"/> Boundary adjustment           |
| <input type="checkbox"/> Alter                | <input checked="" type="checkbox"/> Accessory Structure                   | <input type="checkbox"/> Extraction of earth resources |
| <input type="checkbox"/> Extend               | <input type="checkbox"/> Commercial / Business                            | <input type="checkbox"/> Ground water withdrawal       |
| <input type="checkbox"/> Remove               | <input type="checkbox"/> Light Industrial                                 | <input type="checkbox"/> Landfilling                   |
| <input type="checkbox"/> Change use           | <input type="checkbox"/> Industrial                                       | <input checked="" type="checkbox"/> Other              |

Describe work to be performed Construct two new dugouts on the softball field to replace two existing dugouts.

Add three new scoreboards as follows:

(1) ground mounted scoreboard at the field hockey field(1) ground mounted scoreboard at the softball field(1) building mounted scoreboard for the baseball field

## C. Lot description: Not applicable

- |  |   |
|--|---|
| 1. acreage .....   | 4. depth side yards ..... Ft. .... Ft.<br>(building to lot lines) |
| 2. road frontage ..... Ft.                                     |   |
| 3. depth front yard ..... Ft.<br>(Road centerline to building) | 5. depth rear yard ..... Ft.<br>(building to lot line)            |

**Important** - Submit site location map which describes the property on which the proposed land development is to occur. The map should indicate the length in feet of each boundary, the location and dimensions in feet of the development within the property, the distance from that development to all adjacent property lines and the distance to the public road centerline. Each parcel created by land development should be clearly described.

## READ BELOW CAREFULLY AND SEE SECTION D ON PAGE 2 OF APPLICATION:

In accordance with 24 V.S.A. §4446, no development or subdivision of land may begin in the Town of East Montpelier until all applicable municipal land use permits and approvals have been issued. The undersigned requests a zoning permit as described above, understanding that the permit will be voided and penalties imposed, if the land development is not completed as described. The permit will be voided if development is not substantially commenced within one year from date of issue. The undersigned hereby applies on the basis of the representations contained herein, and to the best of his/her knowledge believes them to be true. The undersigned acknowledges the Section D notices on page 2 of this application.

Landowner Interim Superintendent Date March 14, 2022Applicant [Signature] Date 3/16/22

\*\*\*\*\*

Zoning Permit Fee: \$ 320.00 Cash      Check # 1257 Date 4/5/22 Rec'd by DS.DRB Hearing Fee: \$      Cash      Check      Date      Rec'd by     

Make checks payable to the "Town of East Montpelier"



**D. Warning:** State permits may be required for this project. The applicant or permittee retains the obligation to identify, apply for, and obtain relevant state permits for this project. Contact Jeff McMahon, our region's state permit specialist, at (802) 477-2241 or [jeff.mcmahon@vermont.gov](mailto:jeff.mcmahon@vermont.gov), before beginning any construction. The VT Agency of Natural Resources has an online "permit navigator" to help answer state environmental permit questions: <https://dec.vermont.gov/permitnavigator>

**Notice:** Your project may be subject to the state's residential or commercial energy code. For more information contact the Energy Code Assistance Center at 855-887-0673 or see the following web pages:

Residential Building Energy Standards: [http://publicservice.vermont.gov/energy\\_efficiency/rbes](http://publicservice.vermont.gov/energy_efficiency/rbes)

Commercial Building Energy Standards: [http://publicservice.vermont.gov/energy\\_efficiency/cbes](http://publicservice.vermont.gov/energy_efficiency/cbes)

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**E. Action by Zoning Administrator:**

1. ☒ Granted ☐ Denied Date ..... Reason.....

2. Appealed to Development Review Board: Date ..... By .....

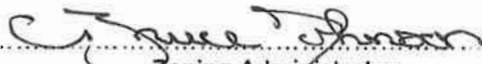
**Notice:** Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board &/or Town Clerk within 15 days of the decision or act. Appeal fee is \$150.

3. Final Action: Permit # 22-012 Date Issued 05/19/22 Effective Date 06/03/22

**DO NOT start this project prior to the effective date, as the statutes require a 15-day appeal period. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any appeal process.**

4. Permittee is required to submit a Certificate of Compliance form to the Zoning Administrator in accordance with East Montpelier Land Use & Development Regulations Section 7.4:

☒ Yes (form included with permit) ☐ No

  
Zoning Administrator

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**F. Action by Development Review Board:**

1. Public Notice Date(s) 04/16/2022

2. Date(s) of Hearing 05/03/2022

3. ☒ Granted ☒ Without conditions ☐ With conditions (See written decision for conditions)

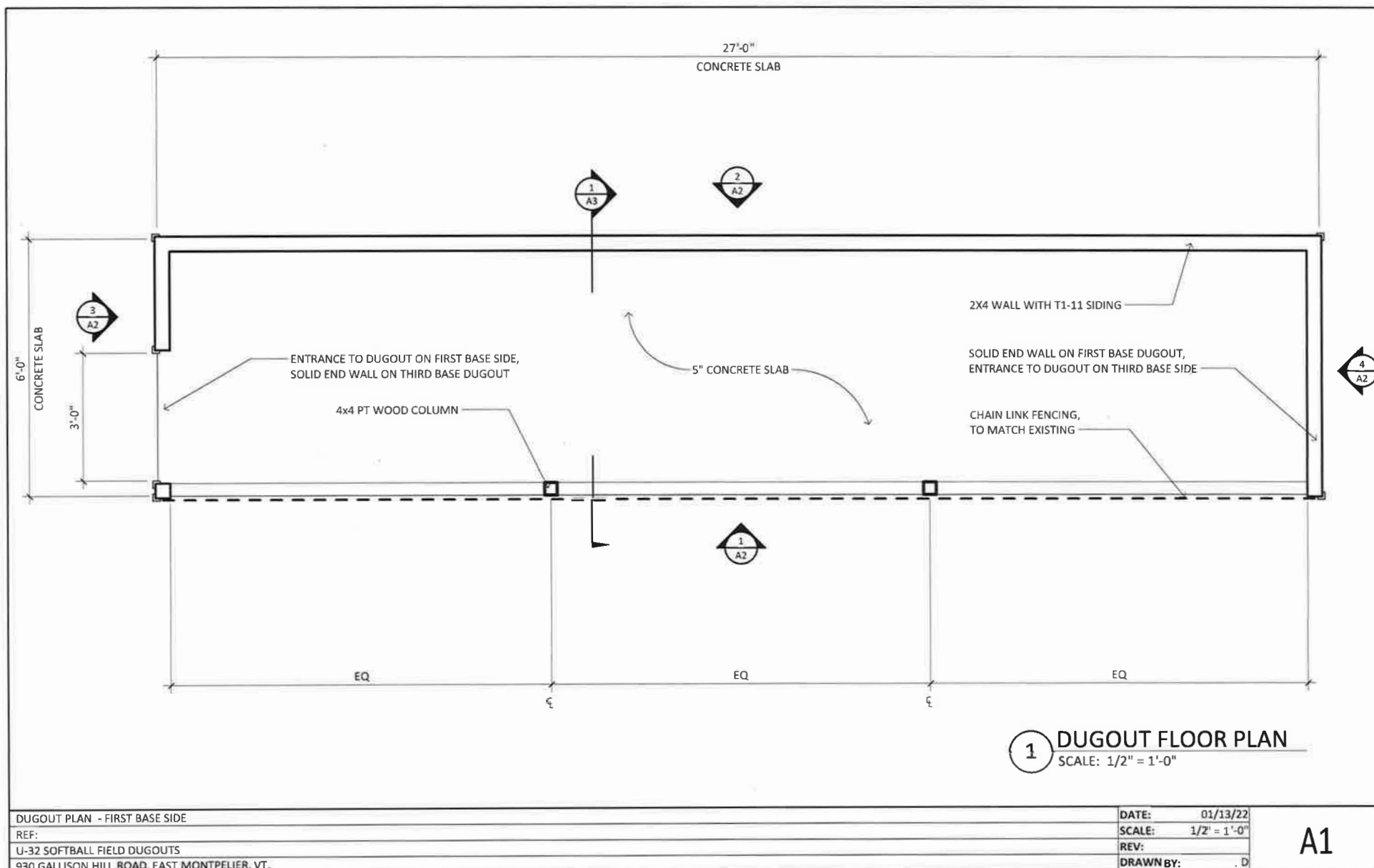
4. ☐ Denied (See written decision for reasoning)

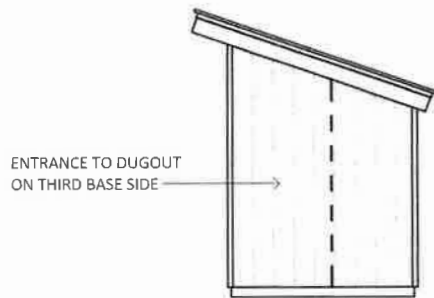
  
Chairman, Development Review Board

The DRB's written decision was issued on: May 19, 2022

The applicant, appellant or other interested person who has participated in a regulatory proceeding of the DRB may appeal the decision rendered by the DRB within 30 days of the issuance of such decision, to the Environmental Division of the Vermont Superior Court, in accordance with 24 V.S.A. §4471.

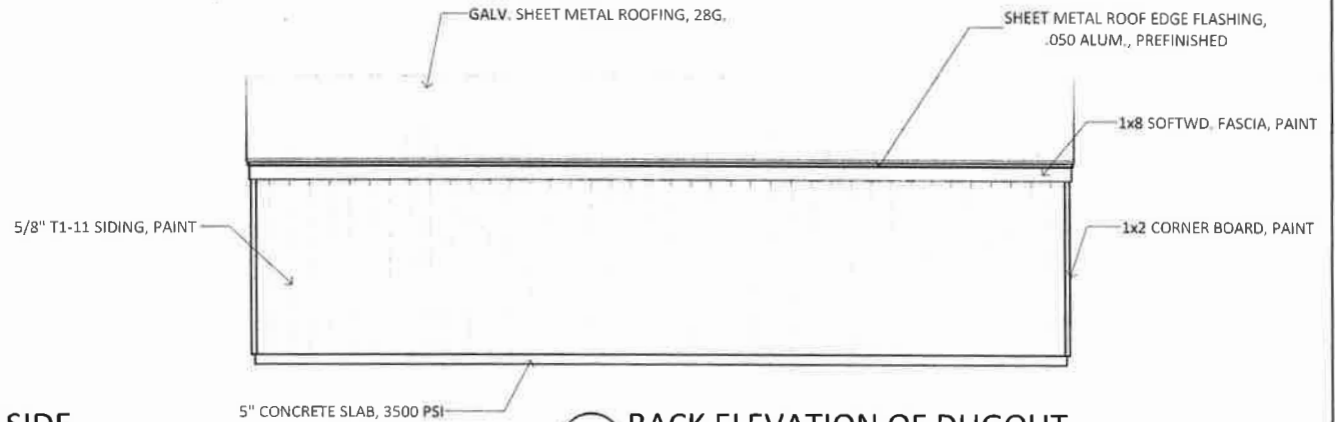
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2. The notice of appeal shall be filed by certified mailing, with fees, to the Environmental Division of the Vermont Superior Court and by mailing a copy to the East Montpelier Zoning Administrator, who shall supply a list of interested persons (including the applicant if not the appellant), to the appellant within five (5) working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person. If any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.



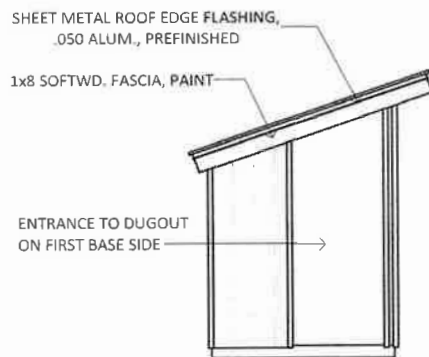


ENTRANCE TO DUGOUT  
ON THIRD BASE SIDE

**4 RIGHT ELEVATION - FIRST BASE SIDE**  
SCALE: 1/4" = 1'-0"

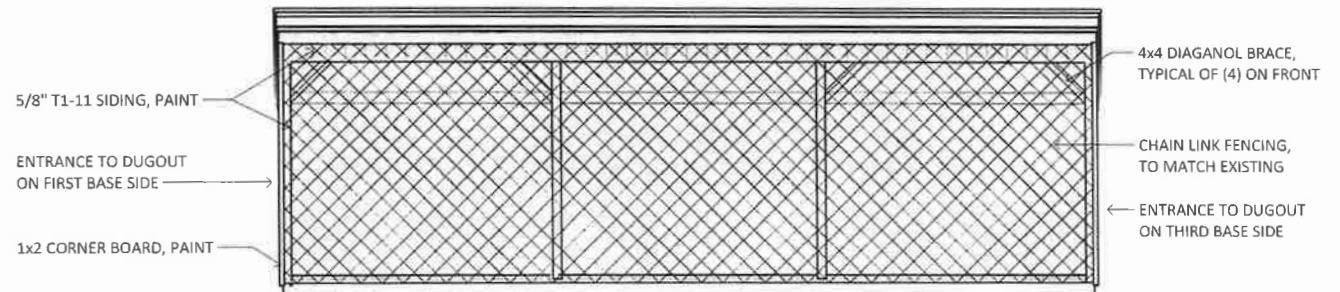


**2 BACK ELEVATION OF DUGOUT**  
SCALE: 1/4" = 1'-0"



ENTRANCE TO DUGOUT  
ON FIRST BASE SIDE

**3 LEFT ELEVATION - FIRST BASE SIDE**  
SCALE: 1/4" = 1'-0"



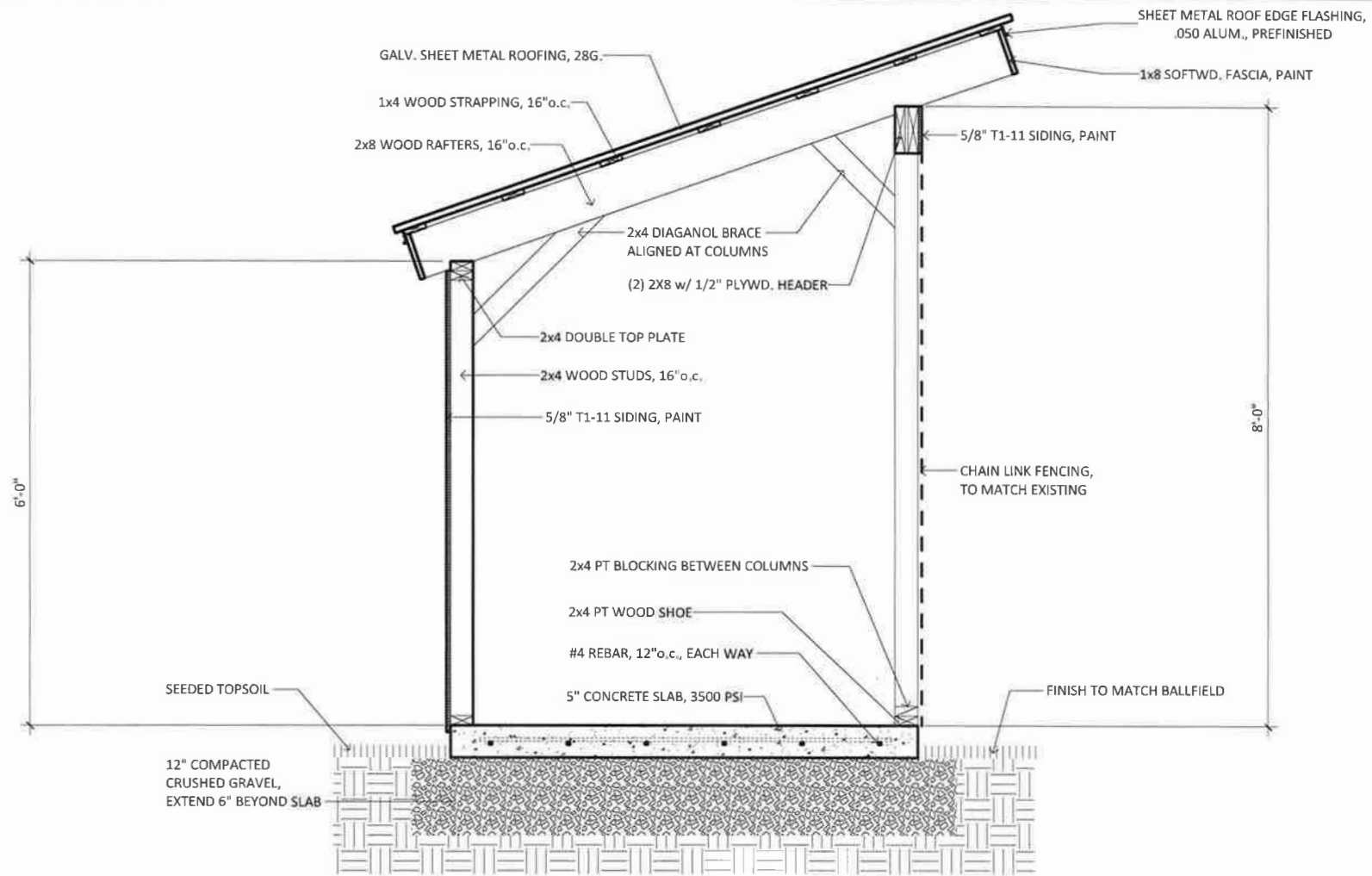
**1 FRONT ELEVATION OF DUGOUT**  
SCALE: 1/4" = 1'-0"

DUGOUT ELEVATIONS - FIRST BASE SIDE  
REF:  
U-32 SOFTBALL FIELD DUGOUTS  
930 GALLISON HILL ROAD, EAST MONTPELIER, VT.

DATE: 01/13/22  
SCALE: 1/4" = 1'-0"  
REV:  
DRAWN BY: JD

A2





**1 DUGOUT SECTION**  
SCALE: 3/4" = 1'-0"

DUGOUT SECTION

REF:

U-32 SOFTBALL FIELD DUGOUTS

930 GALLISON HILL ROAD, EAST MONTPELIER, VT.

DATE: 01/13/22

SCALE: 3/4" = 1'-0"

REV:

DRAWN BY: JD

A3

## GENERAL NOTES

PAINTED ITEMS TO RECEIVE TWO COATS. COLOR TO BE: BLUE SIDING, WHITE TRIM.

PREFINISHED ROOF EDGE FLASHING TO BE WHITE.

EXTEND EXISTING 120V OUTLET AT THE END OF THE CURRENT 3<sup>RD</sup> BASE SIDE DUGOUT TO THE END OF THE NEW 3<sup>RD</sup> BASE SIDE DUGOUT. POWER SOURCE IS THE WOOD SHED BEHIND HOME PLATE.

DEMO EXISTING DUGOUTS AND REMOVE ALL MATERIALS INCLUDING CONCRETE POST BASES, REMOVE CHAIN LINK FENCE BETWEEN DUGOUTS AND BACK TO POST. SEE PHOTO.

RESTORE ANY GROUND DAMAGED BY BUILDING OR ACCESSING THE DUGOUTS.

BENCHES PROVIDED BY THE OWNER.



Existing Dugouts (Demolish)

EXISTING DUGOUTS & GENERAL NOTES

REF:

U-32 SOFTBALL FIELD DUGOUTS

930 GALLISON HILL ROAD, EAST MONTPELIER, VT.

DATE:	01/13/22
SCALE:	As indicated
REV:	
DRAWN BY:	JD

A4



BLACK RIVER  
DESIGN

REVISIONS

NO.	DESCRIPTION

U-32 SCOREBOARDS

SCALE  
DATE  
DRAWN BY  
CHECKED BY

U-32  
A17

SCOREBOARD GENERAL NOTES

PROVIDE ELECTRICAL DISCONNECT FOR EACH SCOREBOARD. FIELD LOCALS WITH OWNER.



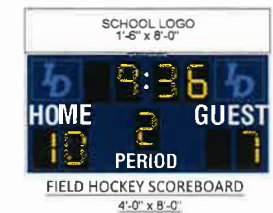
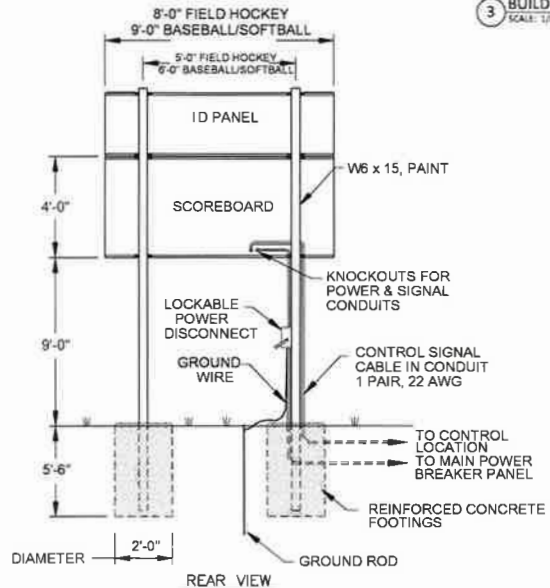
2 SOFTBALL & BASEBALL SCOREBOARDS  
SCALE: 1/8" = 1'-0"



1 FIELD HOCKEY SCOREBOARD  
SCALE: 1/8" = 1'-0"



3 BUILDING MOUNTED BASEBALL SCOREBOARD  
SCALE: 1/8" = 1'-0"







# U-32 Jr/Sr High School -- 930 Gallison Hill Road

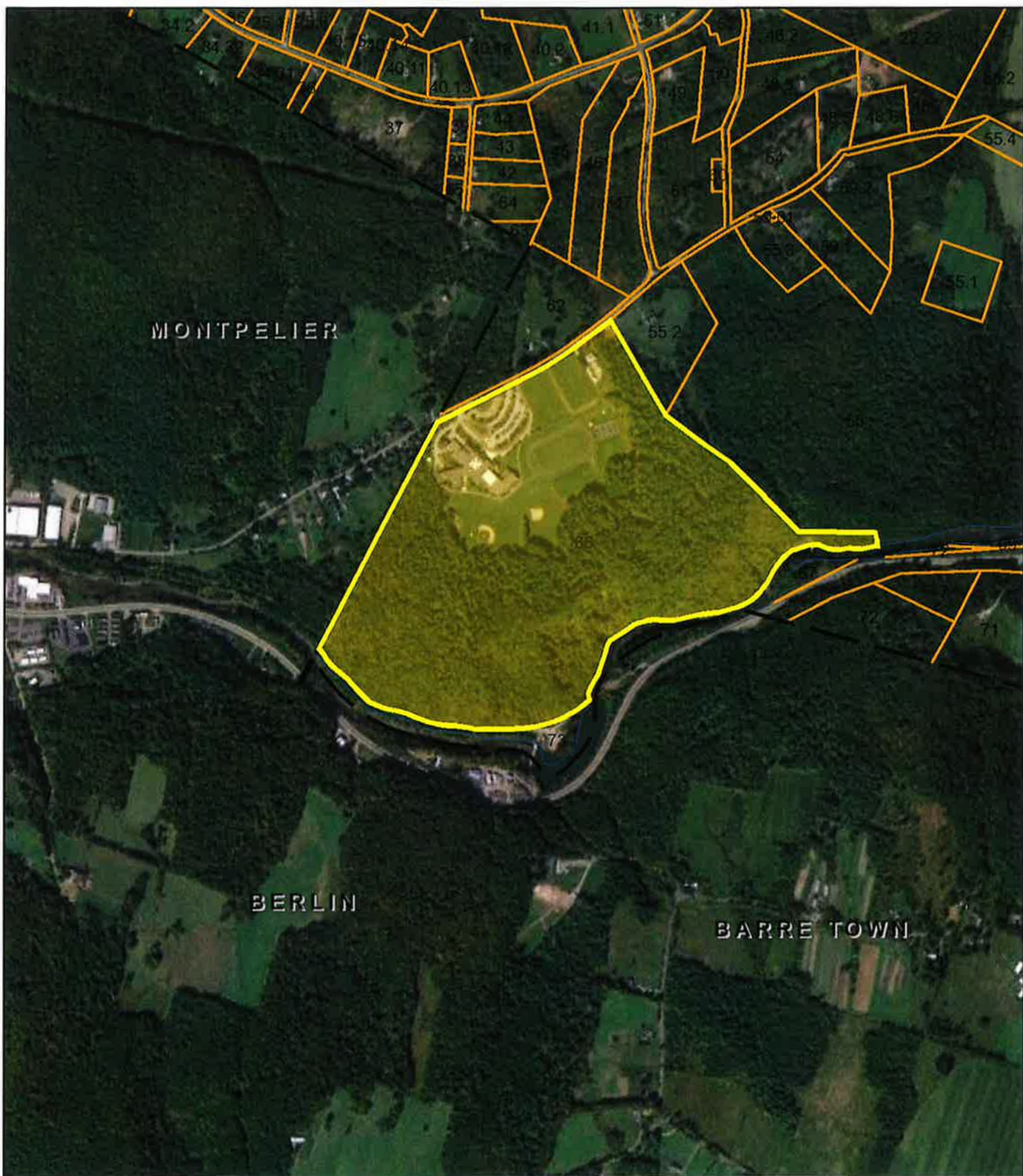
East Montpelier, VT



April 15, 2022

1 inch = 1079 Feet

[www.cai-tech.com](http://www.cai-tech.com)



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